

FORM PTO-1390 (REV 10-95)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				0380-P02373US0	
				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/719,646	
INTERNATIONAL APPLICATION NO. PCT/EP99/04105		INTERNATIONAL FILING DATE 15 June 1999		PRIORITY DATE CLAIMED 18 June 1998	
TITLE OF INVENTION FAS PEPTIDES AND ANTIBODIES FOR MODULATING APOPTOSIS					
APPLICANT(S) FOR DO/EO/US CHIOLDI, Francesca					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  <b>Items 11. to 16. below concern document(s) or information included:</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information:					
The surcharge for furnishing the oath later than 30 months from the earliest claimed priority date was paid when this application was filed. Therefore, we are not including another check.					

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  
09/719,646

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0380-P02373US0

**CALCULATIONS PTO USE ONLY**

17. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

Search Report has been prepared by the EPO or JPO .....

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
.....

No international preliminary examination fee paid to USPTO (37 CFR 1.482)  
but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....

Neither international preliminary examination fee (37 CFR 1.482) nor  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(2)-(4) .....

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X
Independent claims	- 3 =		X
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+

\$

\$

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$

**SUBTOTAL =**

\$

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =**

\$

Amount to be:  
refunded

\$

charged

\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

HAGAN, Patrick J.  
Dann Dorfman Herrell and Skillman, P.C.  
1601 Market Street, Suite 720  
Philadelphia, Pennsylvania 19103  
United States of America

SIGNATURE:

Patrick J. Hagan

NAME

27,643

REGISTRATION NUMBER

10 FEB 2001

22 FEB 2001

10/K gn



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
 Address: ASSISTANT COMMISSIONER FOR PATENTS  
 Box PCT  
 Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/719646	CHIODI	F 0380-P02373U
INTERNATIONAL APPLICATION NO.		
PCT/EP99/04105		
I.A. FILING DATE	PRIORITY DATE	
15 JUN 99	18 JUN 98	
DATE MAILED: 31 JAN 2001		

PATRICK J HAGAN  
 DANN DORFMAN HERRELL AND SKILLMAN  
 1601 MARKET STREET SUITE 720  
 PHILADELPHIA, PA 19103

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☐ a non-English language.
    - ☒ English.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☒ Preliminary amendment(s) filed 15 DEC. 2000 and \_\_\_\_\_.
  - ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_.
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document. 2
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☒ Other: IB 308
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

Christine S. Washington

FORM PCT/DO/EO/905 (December 1997)

Telephone: 703-305-3752

**DANN DORFMAN HERRELL AND SKILLMAN, P.C.**

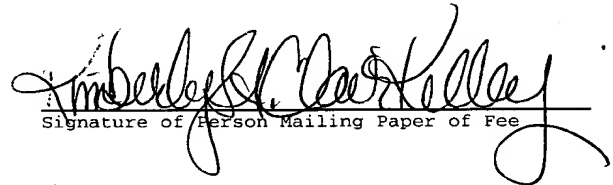
1601 Market Street, Suite 720  
Philadelphia, Pennsylvania 19103-2307  
Telephone: (215) 563-4100  
Facsimile: (215) 563-4044

**CERTIFICATE OF MAILING**  
**BY EXPRESS MAIL UNDER 37 C.F.R. \$1.10**

NUMBER OF EXPRESS MAIL MAILING LABEL: EL261101860US  
DATE OF DEPOSIT WITH POSTAL SERVICE: February 28, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. \$1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231.

Kimberly St. Clair Kelley  
Typed Name of Person Mailing Paper of Fee

  
Signature of Person Mailing Paper of Fee

Re: U.S. Patent Application No. 09/719,646  
International Patent Application No. PCT/EP99/04105  
Entitled: FAS PEPTIDES AND ANTIBODIES FOR  
MODULATING APOPTOSIS  
International Filing Date: 15 June 1999  
Earliest Claimed Priority Date: 18 June 1998  
Our File No. 0380-P02373US0

**Enclosures:**

- Transmittal Letter to the DO/EO/US Concerning a Filing Under 35 U.S.C. §371 (in duplicate)
- Declaration, Power of Attorney and Power to Inspect
- Copy of Form PCT/DO/EO/905 (December 1997)